

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**KENNETH RAY PITTS,
ADC #85938**

PLAINTIFF

v.

5:13CV00124-KGB-JTK

LAUAR LEE MORGAN, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. No. 5). After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion to Proceed *In Forma Pauperis* is DENIED (Dkt. No. 1).
2. Should plaintiff wish to continue this case, he must submit the statutory filing fee of \$400.00¹ to the Clerk of Court, noting the above case style and number, within ten (10) days of the date of this Order, together with a motion to reopen the case. Upon receipt of the motion and full payment, the case will be reopened.

3. Plaintiff's complaint is DISMISSED without prejudice.

Judgment will be entered accordingly.

IT IS SO ORDERED this 7th day of August, 2013.



Kristine G. Baker
United States District Judge

¹ Effective May 1, 2013, the cost for filing a new civil case is \$400, due to a new \$50 administrative fee.